

REMARKS

Claims 1-10 and 12 are pending in the instant application. Claims 1, 7 and 9 have been amended. These amendments do not introduce any new matter, and support for them can be found in the specification. Claims 11 and 13 have been withdrawn from consideration as they are drawn to non-elected subject matter. Likewise, Claims 1, 7 and 9 have been amended to remove non-elected subject matter. After entry of this amendment, Claims 1-10 and 12 will be pending.

Rejection of Claims 1-10 and 12 under 35 USC §112, first paragraph

The Examiner has rejected Claims 1-10 and 12 under 35 USC §112, first paragraph, for allegedly failing to comply with the written description requirement. Specifically, the Examiner has objected to the term "N-oxide derivatives" in the claims. Without conceding the correctness of the Examiner's argument, but to advance the prosecution of the instant application, Applicants have amended the claims to remove the term "N-oxide derivatives." In light of these amendments and cancellations, this rejection should be rendered moot.

Rejection of Claims 1-10 and 12under 35 USC §112, second paragraph

The Examiner has rejected Claims 1-10 and 12 under 35 USC §112, second paragraph, for allegedly failing to particularly point out and distinctly claims the subject matter which Applicants regard as the invention. Specifically, the Examiner has objected to the term "N-oxide derivatives" in the claims. Without conceding the correctness of the Examiner's argument, but to advance the prosecution of the instant application, Applicants have amended the claims to remove the term "N-oxide derivatives." In light of these amendments and cancellations, this rejection should be rendered moot.

If a telephonic communication with the Applicants' representative will advance the prosecution of the instant application, please telephone the representative indicated below. Applicants believe no additional fees are due but the Commissioner is authorized to charge any fees required in connection with this response to Merck Deposit Account No. 13-2755.

Respectfully submitted,

By 
Nicole M. Beeler
Reg. No. 45,194
Attorney for Applicants

MERCK & CO., INC.
P.O. Box 2000
Rahway, New Jersey 07065-0907
(732) 594-1077

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